RESPONSE TO FINAL OFFICE ACTION and NOTICE OF APPEAL Serial No. 10/716.096 Page 1 of 9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant: Danek, et al.

Case: 761C4/CPI/L/B/PJS

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Serial No.: 10/716,096

Filed: November 18, 2003

MAY 0 4 2003

Examiner: Lund, Jeffrie Robert

Group Art Unit: 1763

Confirmation No.: 4854

Title:

CHAMBER FOR CONSTRUCTING A FILM ON A SEMICONDUCTOR

WAFER

Mail Stop AF **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

RESPONSE TO FINAL OFFICE ACTION DATED MARCH 4, 2005 AND NOTICE OF APPEAL

Please enter this response to the Final Office Action dated March 4, 2005, having a shortened statutory period for response set to expire on June 4, 2005. This response includes a combined amendment under 37 C.F.R. §1.116 and a Notice of Appeal. The Applicants believe that a \$500.00 appeal fee and a \$130.00 terminal disclaimer fee are due in connection with this response. The Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782 for these fees and any other fees, including extension of time fees, required to make this response timely and acceptable to the Office.

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PTO/SB/17 (12-04v2)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2005 Description claims small entity status. See 37 CFR 1.27 Examiner Name Description Claims small entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity status. See 37 CFR 1.27 Examiner Name Description Claims amail entity Status. See 37 CFR 1.27 Examiner Name Description Claims amail entity Status. See 37 CFR 1.27 Examiner Name Description Claims amail entity Status. See 37 CFR 1.27 Examiner Name Description Claims amail entity Status. See 37 CFR 1.27 Examiner Name Description Claims amail entity Status. See 37 CFR 1.27 Examiner Name Description Claims amail entity Status. See 37 CFR 1.27 Examiner Name Description Claims amail entity Status. See 37 CFR 1.27 Examiner Name Description Claims amail entity Status. See 37 CFR 1.27 Examiner Name Description Claims amail entity Status. See 37 CFR 1.27 Examiner Name Description Clai	Fees pursuant to the Consolidated A	. 4818)	Complete if Known						
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METHOD OF PAYMENT (\$)630.00 METHOD OF PAYMENT (check all that apply) □ Check □ Credit Card □ Money Order □ None □ Other (please identify): □ Deposit Account Number: 20-0782 □ Deposit Account Name: Moser, Patterson & Sheridan, LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) □ Charge fee(s) indicated below □ Charge fee(s) indicated below □ Charge fee(s) indicated below □ Charge fee(s) indicated below, accept for the filling fee □ Charge any additional fee(o) or underpayments of fee(s) □ Credit any overpayments □ Under 37 CFR 1.16 and 1.17 WANNING: Information and authorization on PTO-2038. FEEC CALCULATION 1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES Small Entity Application Type Fee(\$)				iret Named Inventor	Danek, et al.				
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Deposit Account Deposit Account Number: 20-0782 Deposit Account Name: Moser, Patterson & Sheridan, LLP For the above-dentified deposit account, the Director is hereby authorized to: (chock all that apply) Charge see(s) indicated below Charge see(s) Indicated below, except for the filling fee Charge sey additional fee(s) or underpayments of fee(s) Credit any overpayments Under 37 CFR 1.16 and 1.17 WARNING: information on this form may become public. Credit card information about not be included on this form. Provide credit card information and authorization on PTC-2038. FEE CALCULATION 1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES SEARCH FEES SEARCH FEES Small Entity Application Type Fee (5) Fee (6)	METHOD OF PAYMENT (check all that apply)								
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This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the encunt of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SENO FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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THIS MESSAGE HAS 13 PAGES INCLUDING THIS SHEET Commissioner for Patents TO: FAX NO.: 703-872<u>-9306</u> FROM: Keith Taboada, Esq. DATE: May 4, 2005 MATTER: Serial No. 10/716,096 Filed: November 18, 2003 DOCKET NO.: 761C4/CPI/L/B/PJS APPLICANT: Danek, et al. The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile: Petition Transmittal Letter (2 copies) __ Disclosure Statement & PTO-1449 X Fee Transmittal (2 copies) _ Priority Document X Deposit Account Transaction _ Drawings (____ sheets) informal X Facsimile Transmission Certificate dated May 4, 2005 Amendment X Terminal Disclaimer (1 page) X_ Response to Final Office Action and Notice of Appeal (9 pages) CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8 I hereby certify that this correspondence is being transmitted by facsimile to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 4, 2005, Facsimile No. (703) 872-9306. Allyson M. DeVesty Name of person signing this certificate

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